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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,482	01/23/2001	Greg Wiggins	55994.0129	1535
57600	7590	02/07/2008		
HOLLAND & HART LLP P.O. Box 11583 60 E. South Temple, Suite 2000 Salt Lake City, UT 84110			EXAMINER VO, TED T	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

AK

Interview Summary	Application No.	Applicant(s)	
	09/768,482	WIGGINS ET AL.	
	Examiner	Art Unit	
	Ted T. Vo	2191	

All participants (applicant, applicant's representative, PTO personnel):

(1) Ted T. Vo. (3) _____

(2) Bryan K. Kanks (Reg. No. 52,991). (4) _____

Date of Interview: 28 January 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: All.

Identification of prior art discussed: WinZip.

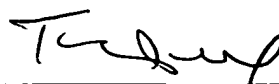
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicants' attorney of Record sent a discussion agenda for discussing all pending Claims (see the attachment). The arguments in the interview raised only common features. For example, the common features can be seen in the discussion agenda.

Agenda attachment:

Interview Agenda

Application No. 09/768,482

Date: Monday, Jan. 28 2008

Time: 11:00 a.m. (ET)

Attorney: Bryan K. Hanks (Reg. No. 52,991)

Examiner: Ted T. Vo

Agenda Items:

I. Claim 1

A. *Niko Mak does not teach a self-extracting auto-migration package*

Extracting a file from a WinZip file is not comparable to "update[ing] a second version of an application program with files and settings of a first version. Instead, "When you extract a file, it is placed by default in the folder you last extracted to." *O'Connell, page 4.*

B. *Niko Mak does not teach a console configured to scan a computer*

Niko Mak does not teach that a file "add" or "drop" function of WinZip, or any other function of WinZip, is configured to scan a computer for files and settings to be migrated to a different computer. WinZip provides a user with "an Explorer-like window that lets you select the file you want to work with," and therefore WinZip merely displays files in a folder rather than scanning for files. *O'Connell, page 3.*

C. *Niko Mak does not teach an application interface file*

Niko Mak mentions that "the first time you run [version 7.0 of WinZip], it will copy all the ini entries to the registry." However, this teaching of Niko Mak does not have anything to do with migrating files and settings between computers. Furthermore, even if this teaching were somehow related to file and setting migration (which it is not), the teaching does not mention an application interface file.

D. *The Office Action does not address at least one feature of claim 1*

Claim 1 recites a package "configured to update said second version of said application program with said files and settings of said first version." Claim 1 also recites that the first version is "resident on . . . said first computer system" and the second version is "resident on . . . said second computer system." Claim 1 is therefore directed to updating an application program on one computer with files and settings associated with an application program from another computer. Neither Niko Mak nor the arguments in the Office Action address this feature of claim 1.

II. Claim 3**A. *O'Connell does not teach a "personality package"***

The personality package recited in claim 3 comprises "user settings, user preferences, application programs, and data files." The Office Action does not clearly identify where these features are disclosed in the cited references.

B. *Niko Mak does not teach generating an error, as recited in claim 3*

Claim 3 recites "generating an error if said destination application versions do not match." The Office Action states "where installing error is generated based on the Windows operating system, the act of getting application version specifics is only a manual act performed by a user." The reasoning behind this conclusion is unclear, as is the basis for the conclusion in the references or how this conclusion applies to claim 3.

III. Claim 4***Niko Mak does not disclose the executable program recited in claim 4***

Claim 4 recites "an executable program that scans for environment settings and files to be migrated and builds said self-extracting auto-migration packages." Niko Mak does not disclose any features capable of scanning for environment settings and files and building a self-extracting auto-migration package.

IV. Claim 5***Niko Mak does not disclose a console with an edit function***

According to the Office Action, "Niko Mak discloses WinZip which is adaptable to a standard Window like Window 95, editable by a 'File Properties.'" It is unclear how a "standard Window" is relevant to the edit function recited in claim 5.

V. Claim 6***The Office Action does not clearly address the features of claim 6***

Claim 6 recites "a filter for determining which settings and file types are to be included in said self-extracting auto-migration package." The Office Action states, "With regard to limitation of Claim 6, see all commands shown in page 2." It is unclear to which reference the Office Action refers. Furthermore, it is unclear how any of the commands in Niko Mac or Connell are comparable to the filter of claim 6.

VI. Claim 13

The Office Action does not clearly address the features of claim 13

Claim 13 recites that "said self-extracting auto-migration package includes an operating system conversion capability." The Office Action states, "With regard to limitation of Claim 13, Buttons EXTRACT in the ZIP file." It is unclear how the extract button in WinZip is related to the operating system conversion capability recited in claim 13.

VII. Claim 14

The Office Action does not clearly address the features of claim 14

Claim 14 recites that "said self-extracting auto-migration package includes disk space verification." The Office Action states, "With regard to limitation of Claim 14, associated with Windows commands." It is unclear which commands in the cited references are related to disk space verification.

VIII. Claim 21

The Office Action does not clearly address the features of claim 21

Claim 21 recites "determining whether said file is a shell link" and "if said file is a shell link, adding said file to a shell link list." The Office Action argues that "shell link is part of the Windows operating system," but fails to point to any teaching or suggestion of "determining whether said file is a shell link" or "adding said file to a shell link list" if the file is a shell link.

IX. Claim 22

The Office Action does not clearly address the features of claim 22

Claim 22 recites "updating shell links in said destination computer using said shell link list." The Office Action merely states that "WINZIP 7.0 or WINZIP are embedded in Windows, where shell links is part of the Windows operating system." The Office Action's conclusory statement does not address the functionality of updating shell links in a destination computer using shell link lists.